

No. 9/5/84-6Lab/6508.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Saral Enterprises, 41 K. M. Mathura Road, Faridabad:—

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT
FARIDABAD

Reference No. 173 of 1984

between

SHRI HARISH CHAND, WORKMAN AND THE RESPONDENT-MANAGEMENT M/S SARAL ENTERPRISES, 41 K. M. MATHURA ROAD, FARIDABAD

Present :

None, for the Parties.

AWARD

This reference has been referred to this court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/59-84/26628-33, dated 27th July, 1984 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute existing between Shri Harish Chand, workman and the respondent-management of M/s. Saral Enterprises, 41 K. M. Mathura Read, Faridabad. The term of the reference was:—

Whether the termination of services of Shri Harish Chand was justified and in order? If not, to what relief is he entitled?

In spite of service to both the parties through letter under UPC, none has appeared. It shows that the workman is not interested to pursue his reference. Hence the award is given that no dispute is pending between the parties.

Dated the 27th August, 1984.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 1815, dated the 6th September, 1984

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/5/84-6Lab/6509.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Sharco Industries Pvt. Ltd., 12/6, Mathura Road, P. O. Amar Nagar, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. of 258/1982

between

SHRI SHIV KUMAR, WORKMAN AND THE MANAGEMENT OF M/S SHARCO INDUSTRIES
PVT. LTD., 12/6. MATHURA ROAD, FARIDABAD

Present :

Shri R. C. Sharma, for the management.
None, for the workman.

AWARD

This reference has been referred to this Court, by the Hon'ble Governor of Haryana,—vide his Order No. ID/PD/152/82/48647, dated 26th October, 1982, under section 10(i)(c) of the Industrial Disputes Act, 1947, for adjudication for the Industrial dispute existing between Shri Shiv Kumar, workman and the respondent-management of M/s. Sharco Industries Pvt. Ltd., 12/6, Mathura Road, P. O. Amar Nagar, Faridabad. The terms of the reference was:—

Whether the termination of services of Shri Shiv Kumar workman was justified and in order? If not, to what relief is he entitled?

The representative of respondent-management has stated that workman has settled his dispute with the respondent-management.—*vide* settlement Ex. M-1 and received full and final,—*vide* receipt Ex. M-2. The workman has no right of reinstatement/re-employment.

In view of the statement of the representative of the respondent, the dispute has been settled and there is no dispute between the parties.

Dated the 27th August, 1984.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 1876, dated the 6th September, 1984

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/5/84-6Lab/6510.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Sharco Industries Pvt. Ltd., 12/6, Mathura Road, Faridabad :—

**IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD**

Reference No. 277 of 1982

between

**SHRI SURENDER PAL, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S SHARCO INDUSTRIES PVT. LTD., 12/6, MATHURA ROAD, FARIDABAD**

Present :

None, for the workman.

Shri R. C. Sharma, for the respondent-management.

AWARD

This reference has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/154/82/49901, dated 4th November, 1982, under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute existing between Shri Surender Pal, workman and the respondent-management of M/s. Sharco Industries Pvt. Ltd., 12/6, Matbura Road, Faridabad. The terms of the reference was :—

Whether the termination of services of Shri Surender Pal was justified and in order ? If not, to what relief is he entitled ?

According to the claim statement the workman was employed on 1st January, 1981 and his services were terminated on 14th July, 1982. It is alleged that no notice pay, retrenchment compensation etc., was not given to him under section 25-F of the Industrial Disputes Act, 1947.

The management has contended in the written statement that the claimant resigned from the service and received full and final payment in lieu of the settlement. The parties contested the reference on the following issues :—

1. Whether the workman has received the full and final accounts after resignation from the service ? If so, to what effect ?
2. As per reference ?

I have heard both the parties and have gone through the evidence on record. My findings on the issues are as under :—

Issue No. 1 and 2 :—

The management did not produce his evidence inspite of the fact that they were given opportunities to lead evidence since 30th March, 1983. The evidence was closed on 18th June, 1984. In his

statement the workman has stated that his services were terminated on 14th July, 1982. In his cross-examination he denied his signatures on the resignation Mark 'A' and full and final payment receipt mark 'B' and voucher mark 'C'. I have compared the signature of the workman with the signature on Demand notice and the signature on the letter of authority and claim statement. His signatures on the resignation Mark 'A' are similar in all respects with his signatures on the demand notice/claim statement and letter of authority. Moreover it is written in the same hand. It is therefore, clear that the workman has written his resignation and also received full and final payment.—*vide* receipt mark 'B' which also bears his signature. I, therefore, find that the workman has resigned from the service and received his full and final payment in lieu of the settlement.

Issue No. 2 :—

In view of the findings on Issue No. 1, the services of the workman were never terminated and he himself resigned from the service. Hence the award is given accordingly.

R. N. SINGAL,

Dated the 27th August, 1984.

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 1877, dated the 6th September, 1984.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

No. 9/5/84-6Lab/6511.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Continental Construction Central Store and Workshop, 14/2, Faridabad :—

**IN THE COURT OF SHRI R.N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD**

Reference No. 200 of 1984

between

**SHRI LAL SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S
CONTINENTAL CONSTRUCTION CENTRAL STORE AND WORKSHOP,
14/2, FARIDABAD**

Present :

Workman in person.

Shri R. Shashidharan, for the management.

AWARD

This reference has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/46-84/27116-21, dated 30th July, 1984 under section 10(1)(c) of the Industrial Disputes Act, for adjudication of the industrial dispute existing between Shri Lal Singh, workman and the respondent-management of M/s. Continental Construction Central Store and Workshop, 14/2, Faridabad. The terms of the reference was :—

Whether the termination of services of Shri Lal Singh, was justified and in order ? If not, to what relief is he entitled ?

The workman has stated that he has settled his dispute with the respondent-management,—*vide* settlement Ex. M-1 and received his full and final. The workman has also no right of reinstatement/re-employment.

In view of the statement of the workman, the dispute has been settled and there is no dispute between the parties. I give my award accordingly.

Dated, the 29th August, 1984.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

Endst. No. 1878, dated 6th September, 1984.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

No. 9/5/84-6Lab/6512.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Usha Spinning and Weaving Mills Ltd., Mathura Road, Faridabad.

**IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD**

Reference No. 124 of 1983

between

**SHRI RAM KEDAR, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S USHA SPINNING AND WEAVING MILLS LTD., MATHURA ROAD, FARIDABAD**

present

None for the workman.

Shri Rajesh Sharma for the respondent-management.

AWARD

This reference has been referred to this Court by the Hon'ble Governor of Haryana, —*vide* his order No. 2-ID/ED/30/83/13341-46, dated 4th March, 1983, under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute existing between Shri Ram Kedar, workman and the respondent-management of M/s Usha Spinning and Weaving Mills, Ltd., Mathura Road, Faridabad. The terms of the reference was :—

Whether the termination of services of Shri Ram Kedar was justified and in order? If not, to what relief is he entitled?

The representative of the management has made a statement that the workman has settled his dispute with the respondent-management after receiving Rs. 2,500. Copy of resignation is Ex. M-1 and Settlement is Ex. M-2 and Ex. M-3 is the voucher of payment. In view of the statement of the representative of the management, the dispute has been settled. Hence the award is given as fully settled.

Dated the 29th August, 1984.

R. N. SINGAL,
Presiding Officer,
Labour Court,
Faridabad.

Endorsement No. 1879, dated the 6th September, 1984.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.